



November 16, 2023

Via ECF

U.S. Magistrate Judge Taryn A. Merkl
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Trooper 1 v. Cuomo, et al., No. 22-cv-00893-LDH-TAM

Dear Magistrate Judge Merkl:

On behalf of State Entity Employee #2, we respectfully renew our request that State Entity Employee #2's identity be designated as confidential, *see* Dkt. 157 (letter dated September 21, 2023).

When the Court "assess[es] the relevance and proportionality of the discovery requests that are the subjects of many disputes[.]" Dkt. November 3, 2023, we respectfully request that the Court consider the sworn testimony of State Entity Employee #2 that is publicly available on the State Attorney General's website.¹

We thank the Court for its time and consideration.

Respectfully submitted,

CAPEZZA HILL, LLP

Thomas A. Capezza, Esq.
Abby McCormick-Foley, Esq.

cc: All counsel of record via ECF.

¹ https://ag.ny.gov/sites/default/files/2021.05.24_state_entity_employee_2_10.22.2021.pdf